

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WAYNE LEROY WALDRON, JR.,

Defendant.

CR 8-29-M-DWM

FINDINGS AND
RECOMMENDATION

Before the Court is a petition alleging Defendant Wayne Waldron, Jr. violated conditions of his supervised release. By Order entered June 13, 2016, United States District Judge Donald W. Molloy referred this matter to me to conduct a revocation hearing, and submit proposed findings and recommendations as to revocation and a recommended disposition. The Court conducted the hearing on June 14, 2016.

The petition asserts Waldron committed four violations of his conditions of release. First, it alleges that on November 4, 2015, Defendant submitted a urine sample which tested positive for his use of methamphetamine, and that he also admitted to his use. Second, on May 1, 2016, Defendant failed to report for urine testing as required. Third, May 2, 2016, Defendant failed to report to his

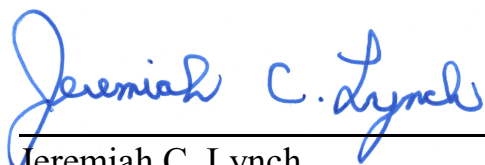
supervising probation officer as required. Finally, Defendant was discharged from his employment due to his failure to show up for work.

During the revocation hearing Waldron, represented by counsel, admitted to the violations as alleged in the petition. The parties then presented arguments as to their respective requests for disposition.

Having considered the record in this case, and the information and arguments presented at the hearing, IT IS RECOMMENDED that Waldron's supervised release be REVOKED. The recommended disposition is that Waldron be sentenced to custody for a period of 20 months with no term of supervised release to follow the 20 months of incarceration.

Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to these Findings and Recommendations within 14 days of the date it is served as indicated on the Notice of Electronic Filing. The District Judge will make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made, and may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the District Judge, and may waive the right to appear and allocute before the District Judge.

DATED this 14th day of June, 2016.


Jeremiah C. Lynch
United States Magistrate Judge